United Nations S/2014/341

Security Council

Distr.: General
13 May 2014

Original: English

Report of the Security Council mission to the Democratic Republic of the Congo, Rwanda, Uganda and Ethiopia (including the African Union)

I. Introduction

1. In his letter dated 27 September 2013 (S/2013/579), the President of the Security Council informed the Secretary-General that the Council had decided to send a mission to the Great Lakes region of Africa and the African Union from 3 to 9 October 2013. The segment of the mission to the Democratic Republic of the Congo was jointly led by the Permanent Representative of Morocco to the United Nations, Mohammed Loulichki, and the Deputy Permanent Representative of France, Alexis Lamek. The Permanent Representative of the United States to the United Nations, Samantha Power, led the segment to Rwanda, while the Permanent Representative of the United Kingdom, Mark Lyall Grant, led the segment to Uganda. The segment of the mission to Ethiopia (including the African Union) was jointly led by the Permanent Representative of Azerbaijan to the United Nations, Agshin Mehdiyev, and the Permanent Representative of Rwanda, Eugène-Richard Gasana. The composition of the mission and its terms of reference are set out in annex I.

II. Democratic Republic of the Congo

Meeting in Brussels

2. On their way to Kinshasa, the members of the Security Council met with members of the European Union Political and Security Committee in Brussels. The European Union reiterated its commitment to continue supporting the reconstruction of the Democratic Republic of the Congo while pursuing stabilization efforts in the eastern part of the country. The European Union identified as a priority the conclusion of the talks in Kampala between the Government of the Democratic Republic of the Congo and the 23 March Movement (M23) in order to create the space necessary to address the root causes of the conflict in the eastern part of the Democratic Republic of the Congo. There was agreement that the reform of the security sector was a precondition for establishing peace and stability in the country and eventually allowing the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) to draw down. The European

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Union emphasized that this should go hand in hand with economic development. Decentralization and elections were identified as important processes, while the European Union stated that its support in this regard would depend on the credibility of those processes. There was also agreement that the management of natural resources was critical in order for the Government to generate revenues.

3. With regard to the reform of the security sector, the European Union confirmed that its police mission and its Advisory and Assistance Mission for Security Reform in the Democratic Republic of the Congo would conclude by September 2014. The European Union would, however, remain committed to continuing its support for security sector reform with a focus on further streamlining the payment chain, providing strategic advice and training. At the same time, it stressed the need for MONUSCO to step up its efforts and play a more important role in supporting security sector reform, including with regard to the coordination of international support.

Meetings in Kinshasa

4. On 5 October in Kinshasa, the mission met with the President, Joseph Kabila Kabange, the Prime Minister, Augustin Matata Ponyo Mapon, and key Government ministers, including the Ministers of Defence, Foreign Affairs, Interior and Justice. The Head of the Independent National Electoral Commission, Abbé Malu Malu, and the head of the national Peace and Security Framework follow-up mechanism participated in the meeting with the Minister for Foreign Affairs. The mission met with the President of the Senate, Leon Kengo wa Dongo, and the Speaker of the National Assembly, Aubin Minaku, as well as members of both chambers. The members of the Security Council also attended the closing ceremony of the national consultations, co-chaired by the President of the Senate and the Speaker of the National Assembly, with President Kabila also present. In addition, the members of the Council received detailed briefings by MONUSCO on the implementation of resolution 2098 (2013), including the planned transfer of tasks to the United Nations country team.

Key issues raised during the meetings with the President, Prime Minister, cabinet ministers and Parliament

Implementation of the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the region

5. In their meeting with President Kabila, the members of the Security Council reiterated their support for the implementation of the commitment under the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the region, which is essential for achieving lasting peace and security in the eastern part of the country and in the region. The members of the Council called upon President Kabila to implement the national commitments made under the Framework and to intensify efforts to reform the security sector, consolidate State authority, make progress on decentralization and further the agenda of reconciliation, tolerance and democratization.

6. President Kabila emphasized the progress made by his Government in implementing the national commitments under the Framework, signed on 24 February 2013 in Addis Ababa. He noted that reforms were being carried out and that the national oversight mechanism would be in charge of assessing the progress made. The President noted that the conclusion of the national consultations was an important milestone, which provided the Congolese people with an opportunity to discuss the problems the country was facing and develop recommendations for a road map for the way forward. He informed the members of the Security Council that, as a next step, he would present the recommendations to both chambers of Parliament.

7. The Prime Minister, cabinet ministers, the President of the Senate and the Speaker of the National Assembly emphasized the progress made by the Government under the Peace, Security and Cooperation Framework. The Prime Minister noted that economic reforms had begun to yield results and that, the conflict in the eastern part of the country notwithstanding, economic growth had been preserved. He noted that civil servants would now be paid regularly and that infrastructure, including schools and hospitals, were being built in many parts of the country, except in the east, where violence and instability would impede development. Recognizing that natural resources would continue to fuel conflict in the east, the Prime Minister told the members of the Security Council that efforts were under way to put in place a legislative framework to improve resource management in the country.

8. The members of the Security Council recognized the steps taken by the Democratic Republic of the Congo to implement its national commitments and commended its conduct of the national consultations resulting in a comprehensive set of recommendations. They emphasized the need to ensure the swift implementation of those recommendations, while taking measures to include in the implementation process the political opposition parties that had not participated in the consultations. Council members reiterated the need to address the root causes of the conflict through meaningful reforms and the restoration of State authority throughout the country.

Reform of the security sector

9. Recognizing the importance of the reform of the security sector, the Prime Minister identified the restoration of peace and stability throughout the country, as well as the necessary financial means, as preconditions to moving the reform process forward.

10. During a working session with the Ministers of Defence, Interior and Justice, the members of the Security Council called for concrete progress in the reform of the security sector to ensure that the Democratic Republic of the Congo would have the capacities needed to exercise its sovereignty, ensure the security of its country and protect its people.

11. The Minister of Defence outlined a number of priorities on which the Government would focus in order to create a professional and republican army, including streamlining human resources management and recruitment, creating better social and professional conditions, modernizing equipment, restructuring command and control, redefining doctrine, creating a rapid reaction force, rehabilitating infrastructure and mobilizing resources. He noted that some measures

had already been taken, including the reorganization of the command zones and the retirement of some 450 officers, while efforts were under way to train new officers and deploy them across the country. The Minister noted that the Congolese rapid reaction force should be operational by 2020, while by 2025 the Armed Forces of the Democratic Republic of the Congo should be in a position to ensure the security of the country and its people independently.

12. With regard to the police, the Minister of the Interior noted that reform efforts continued to restructure the national police and make it a professional and transparent service comprising some 200,000 police personnel. He noted that the training efforts had achieved results and that the change in the behaviour of the police personnel had improved their relations with the local population. He underscored the importance of training, adding that plans for the construction of a national police academy were advancing, while each of the provinces would now have its own training centre.

13. The Minister of Justice identified the conflict in the eastern part of the country as the main obstacle to the exercise of the rule of law and the reason for human rights violations, in particular in occupied areas. She identified the need to strengthen the institutional framework to enhance the fight against impunity, including through establishing the Constitutional Court as envisaged in the Constitution, as well as the remaining 95 (out of 157) peace tribunals. She also mentioned plans to take steps to fight corruption, including by setting up an anti-corruption agency and capacity-building measures.

Fighting impunity

14. The members of the Security Council highlighted its continuing concerns about the protection of civilians, the situation in the eastern part of the country, the situation of internally displaced persons and the issue of sexual violence, emphasizing the need to strengthen child protection and encourage the Government to ensure that those responsible for serious violations of human rights and international humanitarian law are brought to justice.

15. President Kabila highlighted progress made since 2003 in fighting impunity. He stated that, while the military justice system was working to ensure justice for violations committed by national security forces, some challenges remained. He also noted efforts that were under way to hold perpetrators of sexual violence accountable, adding, however, that ending the scourge of sexual violence would require resolving the conflict in the eastern area.

16. Cabinet ministers and the representatives of Parliament agreed that fighting impunity was essential in addressing the scourge of sexual violence and violations of human rights and international humanitarian law. The Minister of Justice told the members of the Security Council that under national jurisdiction, sexual violence was now considered a crime against humanity. Both the President of the Senate and the Speaker of the National Assembly indicated the willingness of Parliament to favourably consider the proposal to establish a mixed court comprising national and international magistrates to bring perpetrators of serious violations of human rights and international humanitarian law to justice.

Elections

17. With regard to democratization, the Security Council members mentioned the need for free, fair and transparent national and provincial elections to be accomplished within the constitutional time frame.

18. Noting that the results of the elections in 2011 had been challenged, the President stressed the need for the next elections to be held under excellent conditions. To this end, a number of measures were envisaged, including the organization of an administrative census and the delimitation of administrative boundaries.

19. The Prime Minister agreed that elections were an essential foundation of democracy, although in his view elections should not slow down development. The President of the National Assembly stressed that local elections would go hand in hand with decentralization. The President of the National Electoral Commission informed the members of the Security Council that the Commission had developed a timeline for the conduct of local elections by the end of 2014, to be followed by national elections in 2016, adding that national stakeholders would be consulted on options with regard to the sequencing of the various polls.

Situation in the eastern part of the Democratic Republic of the Congo

20. The members of the Security Council reiterated their deep concern regarding the fragile security situation and the humanitarian crisis in the eastern part of the Democratic Republic of the Congo owing to ongoing destabilizing activities of M23, the Forces démocratiques de libération du Rwanda (FDLR) and other Congolese and foreign armed groups. The Council members expressed support for MONUSCO, recognizing that the Force Intervention Brigade was an effective tool that was already yielding tangible results. Noting that there was no purely military solution to the conflict in the eastern part of the Democratic Republic of the Congo, the members of the Council stressed the need to find a political solution and address the root causes of the conflict. The Council members also highlighted that the management of national resources was key to stabilizing the economy and addressing the conflict in the eastern area.

21. The President, the Prime Minister, cabinet ministers and representatives of Parliament agreed that the conflict in the eastern part of the Democratic Republic of the Congo was the single largest challenge facing the country. Cabinet ministers expressed their gratitude for the support provided by the international community, in particular the adoption of resolution 2098 (2013), providing MONUSCO with the mandate to neutralize all armed groups operating in the east. The Prime Minister and some cabinet ministers underscored the need for the Force Intervention Brigade to robustly implement its mandate to end the violence in the east and create the conditions for development and reform.

22. President Kabila noted that despite the military gains, the situation in the east remained volatile, with a massive displacement of populations as a result of the fighting. The President noted that the parties in the talks in Kampala between the Government and M23 were close to reaching agreement, indicating that a successful conclusion would depend on the good faith of partners and the effectiveness of the mediation. The Prime Minister reiterated the determination of the President and his Government to negotiate an agreement with M23, although the public sentiment was

against any such negotiations, given past experience. The Minister for Foreign Affairs agreed that there was no purely military solution to the problem of M23, while other cabinet members emphasized the need for military pressure to resolve the issue, including on the part of MONUSCO, which was now mandated to neutralize all armed groups.

23. The President reiterated that the Government's position on amnesty was clear: there would be no impunity for those who committed serious violations of human rights and international humanitarian law. He stressed that the Government did not want to repeat mistakes of the past by granting blanket amnesty and subsequent integration into the security forces. The President noted that the conditions for integration in the army should be restrictive and based on a vetting process, while mentioning the possibility of a provisional amnesty for those willing to make a commitment with regard to their conduct. Concerning members of M23 who would not be integrated into the national army, the President mentioned that discussions to find a solution for them were under way and that concrete suggestions would be welcome.

24. The President of the National Assembly recognized that the situation in the eastern area was also a result of the absence of State authority and the weakness of State institutions over many years, stressing the need for a consensual approach to addressing the root causes of conflict. He underscored the need for reforms, most importantly decentralization, in order to strengthen State authority and justice and improve the lives of the Congolese people after what he termed as three decades of excessive centralism.

Regional relations

25. The members of the Security Council reiterated their commitment to continue to call upon all countries of the region to respect the sovereignty and territorial integrity of the Democratic Republic of the Congo and not to interfere in their internal affairs.

26. President Kabila stated that, in his view, the Democratic Republic of the Congo was the only signatory of the Peace, Security and Cooperation Framework agreement that had taken action to implement its commitments. He urged the regional actors and the international community to make equal progress in implementing their respective commitments. Identifying the interference of neighbouring countries as the main reason for the continued conflict in the eastern area, the Prime Minister, cabinet ministers, the President of the Senate and the Speaker of the National Assembly echoed the need for the international community to work with neighbouring countries, in particular Rwanda, to ensure that they honoured their commitments under the Framework and end destabilizing acts.

Transfer of tasks of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo

27. The members of the Security Council held a working lunch with representatives of MONUSCO and the United Nations country team in which the planned transfer of tasks from MONUSCO to the country team and the Government were discussed. A MONUSCO representative said that consultations had been initiated to inform the Government about the process while an assessment of the capacities of the country team was under way. A representative of the country team

identified securing sufficient resources once tasks were transferred as the major challenge, stressing the need for a resource mobilization strategy. On demining, a MONUSCO representative noted that it was important to keep some capacity to ensure that unexploded ordnance was cleared after offensive military operations by the Force Intervention Brigade. The Security Council members reiterated the need for MONUSCO to concentrate on key priority tasks, while transferring as many tasks as possible to the country team or the Government.

Meetings in Goma

28. In Goma on 6 October, the members of the Security Council met separately with the Governor of North Kivu, Julien Paluku, and members of civil society. They also visited Kibati towers, from which M23 had shelled Goma in August, and received briefings by MONUSCO on the joint operations with the armed forces against M23 and other groups and on how the Mission intended to implement its mandate of neutralizing all armed groups in keeping with resolution 2098 (2013). The members of the Security Council also travelled to the Muningi camp, where they met internally displaced persons and humanitarian workers.

29. The visit of the members of the Security Council to Kibati towers provided a first-hand opportunity to see the location from which M23 shelled civilians in Goma and to discuss the practical application of the mandate of MONUSCO to protect civilians. The members of the Council were briefed in detail about the operational environment and the threat posed by armed groups, in particular M23, which continue to commit serious violations of human rights and international humanitarian law and recruit combatants while receiving arms and ammunition. The briefings also covered activities of the MONUSCO force, including the deployment of the Force Intervention Brigade, military operations that were planned to neutralize armed groups and activities aimed at helping to restore State authority in areas cleared of armed groups. MONUSCO clarified that while the Force Intervention Brigade was an important tool, there was one Mission and one force and that the main mandated task would remain the protection of civilians.

30. The Governor noted that in spite of the Peace, Security and Cooperation Framework and a number of previous agreements, as well as the new mandate of MONUSCO, including the deployment of the Force Intervention Brigade, the people in North Kivu were still waiting for peace to return. He identified the armed groups operating in North Kivu, including FDLR, M23 and Allied Democratic Forces — National Army for the Liberation of Uganda (ADF-NALU) as the main threat to the civilian population. He emphasized that the population continued to be exposed to the threat of M23, which occupied parts of the province in Rutshuru and Nyiragongo and continued to attack civilians and recruit children.

31. The Governor underscored the need for a military solution to eliminate all armed groups in order to establish lasting peace and stability in North Kivu. With regard to the causes of the conflict, the Governor expressed the view that the involvement of the neighbouring States, particularly Rwanda and Uganda, not the divisions between communities or ethnic groups or the lack of governance, were the main cause of the conflict in the eastern part of the Democratic Republic of the Congo.

32. Civil society representatives echoed concerns that the population in North Kivu continued to live in a warlike situation constantly targeted by armed groups. They noted that M23 continued to commit serious violations of human rights and international humanitarian law with impunity, including sexual violence, arbitrary killings and lootings, while in Beni the population was subjected to kidnappings and killings by ADF-NALU. They reiterated concerns that Rwanda and Uganda continued to support armed groups by providing arms and ammunition to M23, ADF-NALU and other armed groups. They also accused Rwanda of supporting the recruitment of children to fight on the side of M23, while accommodating the M23 leadership in their country instead of extraditing them to the Democratic Republic of the Congo.

33. Representatives of Congolese humanitarian non-governmental organizations stated that they deplored the continued violence against civilians by armed groups, with the resulting dramatic humanitarian situation and the massive displacement of the population. They identified the absence of State authority and the lack of protection as the main challenge. They reiterated their concern about the continued interference by neighbouring States, calling upon the Security Council to impose sanctions on such actions, and the need to neutralize all armed groups operating in the eastern area and to end impunity. According to humanitarian actors, only 25 per cent of the territory of North Kivu was under the control of the Government, which made humanitarian access difficult.

34. Internally displaced persons in the Munigi camp cited the prevailing insecurity, the relentless targeting by armed groups, sexual violence, the loss of their homes and the absence of schooling opportunities for their children as main factors preventing them from returning to their places of origin.

III. Rwanda

Background

35. The Security Council's goals for the mission to Rwanda were to discuss the Government's concerns about the region and how they could be resolved while respecting the territorial integrity and sovereignty of all States in the region; to reiterate the Council's support for the Peace, Security and Cooperation Framework and call upon all parties to implement their commitments under the Framework in good faith; to examine the plight of refugees from the Democratic Republic of the Congo caused by armed groups; to encourage Rwandan and Congolese authorities to work together to ensure the full neutralization, disarmament, demobilization and cessation of sources of support to armed groups in the region; to explore the strengthening of regional cooperation, including through the creation of peace dividends and development; and to discuss with the Government of Rwanda the modalities of how the Government, the United Nations and international organizations can work together to urgently address the situation of the former M23 combatants.

Visit to Rwanda

36. In Rwanda, the members of the Security Council, led by Ambassador Power, met with the President, Paul Kagame, as well as Louise Mushikiwabo, Minister for Foreign Affairs; James Kabarebe, Minister of Defence; and Karenzi Karake, Director of the National Intelligence and Security Services. The members of the Council also travelled to the Mutobo demobilization centre to talk with former FDLR combatants who had voluntarily entered the process of demobilization and reintegration, after which they visited the genocide memorial in Kigali.

37. In Mutobo, several of the FDLR ex-combatants offered testimonials about their experiences, including what prompted their decision to leave FDLR and the challenges faced by members who want to leave but feel they cannot do so because of threats against their families. The Council members welcomed the Rwandan demobilization and reintegration programme and the cooperation between MONUSCO and the Government of Rwanda in demobilizing and reintegrating FDLR members.

Meeting with the President

38. The meeting with President Kagame, on 7 October, covered such issues as the presence of armed groups in the eastern part of the Democratic Republic of the Congo and the need for all regional actors to respect the territorial integrity and sovereignty of the Democratic Republic of the Congo and other States in the region, the Kampala process and the Peace, Security and Cooperation Framework and to improve relations among States in the region.

Armed groups in the region

39. President Kagame explained to the visiting members of the Council that FDLR remained a threat to Rwanda because of the ideology the group continued to espouse.

40. He sought the Council's support in pressing for MONUSCO to enact concrete measures to address the FDLR issue. In the view of President Kagame, one of the root causes was the weakness of the institutions in the Democratic Republic of the Congo, which had contributed to the perpetuation of violence in the region.

41. The leadership of Rwanda was of the view that the problem of armed groups could be resolved only through a genuine partnership among States in the region and the international community. He assured the Council members that Rwanda was genuinely committed to working towards peace in the Democratic Republic of the Congo and the broader region and wanted to create conditions conducive to development.

42. The members of the Security Council agreed with the President that the MONUSCO Force Intervention Brigade should pursue all armed groups that posed a threat to the region. They reiterated their call upon all countries in the region not to tolerate or provide assistance to armed groups, urging the President to use his influence with M23 in the service of peace and to help bring the Kampala talks to a close. They noted that for the Peace, Security and Cooperation Framework to work, all armed groups must be neutralized, preferably through political solutions and by

being starved of arms and financing, which would require the commitment of all States in the region.

Kampala process

43. In discussing the Kampala process between the Government of the Democratic Republic of the Congo and M23, more specifically the issues of integration and amnesty, President Kagame expressed his view that a balance must be struck between amnesty and peace. He agreed with the Council members that the perpetrators of atrocities should be held accountable, adding that accountability should focus on individual perpetrators rather than entire groups. He urged that the pursuit of justice in the region not be pursued selectively and that all perpetrators of atrocities be identified and prosecuted. He noted the challenges faced by the judicial system in the Democratic Republic of the Congo and encouraged the international community to assist in strengthening the system within that country. He shared his view that Africa should have its own regional criminal court.

Peace, Security and Cooperation Framework

44. Regarding the commitment of Rwanda to the Peace, Security and Cooperation Framework, President Kagame and the government officials with whom the Council met earlier emphasized that the Framework should move from rhetoric to action.

45. Looking forward to the implementation of the Framework, Rwandan officials indicated that they were keen to move forward on the socioeconomic pillar, with a strong focus on infrastructure development and energy production on both sides of the border. The Minister for Foreign Affairs advocated for the development of technical projects to facilitate the disbursement of funds pledged by the World Bank, while acknowledging cooperation with the new leadership of MONUSCO and the proactive initiative of the Secretary-General and the President of the World Bank in helping to promote peace dividends on the ground.

46. The Security Council mission reiterated its support for the Peace, Security and Cooperation Framework and called upon countries and leaders in the region to use their influence to promote peace and stability. The Council members encouraged the signatories to pursue cooperation and strengthen local-level collaboration. They further encouraged regional partnerships through the Economic Community for the Great Lakes Region for greater peace dividends on the ground. The role of the Office of the Special Envoy of the Secretary-General to the Great Lakes Region in coordinating international support in collaboration with regional organizations was equally underlined.

Rapport of Rwanda with the Democratic Republic of the Congo

47. In discussing the relationship of Rwanda with the Democratic Republic of the Congo, President Kagame indicated that both countries, including their leadership, were in direct and regular contact. He informed the Council members of the plans to include the Democratic Republic of the Congo in the East African Community.

48. The Minister for Foreign Affairs expressed the readiness of the Government of Rwanda to work alongside the Democratic Republic of the Congo and the region to pacify the eastern part of the Democratic Republic of the Congo and reiterated the commitment of her country to remaining a true partner in the search for stability.

She called for greater coordinated efforts between the United Nations and the International Conference on the Great Lakes Region.

49. The members of the Security Council stressed that President Kagame had paved the way for a tremendous legacy in the region based on his vision and execution in lifting Rwanda out of poverty and towards a considerable level of development. They stressed that his legacy would be strengthened by helping to bring the same degree of peace to the eastern part of the Democratic Republic of the Congo and creating conditions for the enjoyment of the Congolese people to the same level of peace and prosperity.

IV. Uganda

50. The Security Council mission, led by the Permanent Representative of the United Kingdom to the United Nations, Ambassador Grant, arrived in Uganda on 7 October. The purpose of the visit was to reiterate the support of the Council for the improvement of relations among the countries in the region, to encourage them to strengthen cooperation in all fields, to discuss regional efforts and the concerns of Uganda in the region, including the Allied Democratic Forces, and how they could be addressed while respecting the sovereignty and territorial integrity of all States in the Great Lakes region and to emphasize the support of the Council for action against armed groups in the region, including the Lord's Resistance Army (LRA).

51. Upon their arrival at Entebbe airport, the Council members received an update on the Kampala process and on the support provided to the Facilitator by the Special Envoys to speed up the process. The visit to Uganda coincided with the time when M23 and the Government of the Democratic Republic of the Congo had reached a consensus on 8 of the 11 points contained in the draft agreement. Issues such as amnesty and integration were still under discussion.

Meeting with the President

52. The meeting with the President of Uganda, Yoweri Kaguta Museveni, focused mainly on the Kampala process and on negative forces in the eastern part of the Democratic Republic of the Congo and the role of the United Nations there.

53. At the start of their meeting with President Museveni, the Council members expressed their appreciation of the President's positive contribution to peace and stability on the continent, including in Somalia, the Democratic Republic of the Congo, the Sudan and South Sudan, and called for his continuing leadership in those processes.

Kampala process

54. The President invited Cyrus Kiyonga, in his capacity as the senior representative of the Facilitator of the Kampala process, to brief the Security Council members on the status of the peace talks, which had gained momentum despite some persistent issues. He reported that such issues as transforming M23 into a political structure, integration and amnesty, refugees and internally displaced persons, lost property, the rebuilding of the national reconciliation system and

allegations about the killing of M23 elements had been addressed. A proper enquiry would be put in place to investigate the killings.

55. The remaining issue was disarmament, and as soon as signatures were obtained, M23 would start a process of disengagement so that the troops would not be close to affected civilian populations. Disarmament needed to be coordinated with other parallel processes by the Government. Once M23 had disengaged, the Government would take the amnesty bill to Parliament. Cantonment would follow suit and combatants would be disarmed accordingly. Before the process was concluded, amnesty should be agreed upon.

56. With regard to the Kampala process, of which President Museveni served as mediator in his capacity as Chairperson for the International Conference on the Great Lakes Region, he apprised the Council members of the facilitation methodology, in which problems were addressed in a holistic manner. The Kampala process had created an opportunity to look at the minimum demands to help the process move forward, notably on the issues of national reconciliation and security. Yet, to ensure the integrity of the country, special attention should be given to the eastern region of the Democratic Republic of the Congo.

57. The Security Council mission wanted to know what had changed between the deal that Kampala was currently trying to reach and the 2009 agreement under the leadership of President Olusegun Obasanjo. Uganda observed that one key difference was that the regional players in the Great Lakes region had not been involved in the 2009 process, whereas they were leading the current process. President Museveni assured the Council members that if the neighbours acted together step by step, a lot of impairment could be avoided. He referred to the regional initiative for Burundi and the crucial role of regional players in the peace process. Furthermore, for President Museveni, the 2009 oversight mechanism was very weak, while the current oversight mechanism under the Peace, Security and Cooperation Framework was much more credible and more likely to succeed. The 2009 process had achieved about 65 per cent of the provisions of the Framework. The rest failed, in part because of the inability of the Democratic Republic of the Congo to protect some members of the other party, who were killed during the integration process. Trust was, therefore, broken.

58. Another issue of concern to the Security Council was amnesty, which was being debated in the Kampala talks. Uganda shared its view that amnesty should be proposed to all except those who have committed crimes against humanity. They noted that this approach had worked for Uganda and had proved a lasting solution in other African conflicts. The goal should be to first achieve peace and then to address justice issues. According to President Museveni, amnesty was a centrepiece for reconciliation. In 2009, amnesty was given in accordance with international law. Amnesty would now be conditional on good behaviour.

59. The President was of the view that the players were all ideologically inadequate. He cited as an example the formula used in Burundi to first build trust and then enable the parties to engage in non-controversial discussions. According to President Museveni, integration was first and foremost about security. If people were not part of the armed forces, they would feel in jeopardy; being part of the armed forces was part of peacebuilding. In his view true power in the Democratic Republic of the Congo was held by the army, as other power structures, including

those for exercising judicial and administrative authority, did not exist. Integration was also a matter of securing employment.

60. President Museveni saw provisional amnesty as one response to the amnesty issue. He went further, saying that the root causes of unrest in the Democratic Republic of the Congo had not been resolved. If the root causes were not dealt with, repeated actions should be expected, he stressed.

61. The issue of integration into the army was also raised, and Uganda was of the view that it remained unresolved, as the list of those whom Congolese officials were not prepared to admit into the armed forces was long. The approach being considered was for some of the individuals on that list to be offered a relocation option, and a search was ongoing for countries that would be willing to take them. The President opposed this approach and expressed the desire that the Democratic Republic of the Congo work instead on the basis of reconciliation and integration.

62. President Museveni also provided his own perspectives on the overall political and military situation in the Democratic Republic of the Congo, advising the Security Council not to focus on M23 as the only problem and to recognize that the problem was much bigger and historical. According to him, the M23 combatants could be controlled. They had entered Goma and agreed to move out when urged by officials in the region to do so.

Negative forces in the eastern part of the Democratic Republic of the Congo and the role of the United Nations

63. Along the same line, President Museveni noted that there were other negative forces in the Democratic Republic of the Congo in control of a large amount of territory that needed to be addressed. President Museveni blamed the source of the problem on the past failure of President Mobutu to manage the country and cooperate with its neighbours. In his view, this had been exacerbated by a sustained level of violence and the use of the territory of the Democratic Republic of the Congo by armed groups, who continued to destabilize neighbouring countries.

64. President Museveni urged the Security Council members to help President Kabila to establish a disciplined security force, without which the Democratic Republic of the Congo would continue to be fertile ground for terrorists who were under United Nations watch. He likened the Council's past engagement in the Democratic Republic of the Congo and Somalia as a "terrorism conservation project". He noted there were other negative forces in the Democratic Republic of the Congo in control of a large amount of territory and left to repeatedly terrorize civilians. These were as bad, if not worse, than M23, and needed to be addressed.

65. Regarding ADF and LRA, the Democratic Republic of the Congo had to ensure that its territory was not used by negative forces to destabilize the neighbouring countries. President Museveni suggested that if the Congolese leaders could not handle the negative forces on their soil, they should call upon the region for assistance.

66. President Museveni referred to what he perceived as a "terrorism conservation project" under the mandate of the United Nations. He questioned the concept of sovereignty and emphasized the challenges faced by the neighbours of the Democratic Republic of the Congo, who were forced to divert some of their

resources from development projects to securing their borders. He was of the view that the international community had not been sending the right message to the Congolese Government. He highlighted the issue of discipline and conduct in the Congolese army and cautioned the country's leaders against playing any opportunistic games, which would be likely to hamper regional efforts and contradict the spirit of the Peace, Security and Cooperation Framework.

67. President Museveni argued that resolving the conflict in the Democratic Republic of the Congo was simpler than dealing with the situation in the Sudan or Somalia. According to him, there was need for national reconciliation and an effective and disciplined State machinery. He invited the Security Council to look into the best practices of Uganda in mending its situation without resorting to United Nations forces.

68. He cautioned the Security Council members against taking sides in Africa's conflicts, maintaining that, by taking sides, they had been part of the problem of the Democratic Republic of the Congo. He also invited them to study the situation more closely before reacting and to rely on the knowledge and experience of regional leaders like himself, who lived close to the situation and had relationships in the countries concerned. He noted that a solution would be reached only if a "holy trinity" approach were adopted — a tripartite alliance that included national, regional and international actors. As such, the Framework agreement was on the right track.

69. Finally, the head of the Security Council delegation requested President Museveni to pressure President Kagame to play a more constructive role in the Democratic Republic of the Congo. President Museveni informed the delegation that if Rwanda was meddling in the Congolese crisis he would be the first to know it and to stop it.

V. Ethiopia

70. The Security Council's visit to Ethiopia was co-led by the Permanent Representative of Azerbaijan to the United Nations, Ambassador Mehdiyev (President of the Council for the month of October 2013), and the Permanent Representative of Rwanda to the United Nations, Ambassador Gasana. In addition to participating in the seventh annual joint consultative meeting with the African Union Peace and Security Council (see annex II), the members of the Security Council met with the Chairperson of the African Union Commission and with the Prime Minister of Ethiopia.

Annex I

Composition and terms of reference of the Security Council mission to the Democratic Republic of the Congo, Rwanda, Uganda and Ethiopia (including the African Union)

Composition

Ambassador Maria Cristina Perceval (Argentina)

Ambassador Gary Francis Quinlan (Australia)

Ambassador Agshin Mehdiyev (Azerbaijan) co-head of mission

Counsellor Zhao Yong (China)

Counsellor Alexis Lamek (France) co-head of mission

Ambassador Gert Rosenthal (Guatemala)

Ambassador Sylvie Lucas (Luxembourg)

Ambassador Mohammed Loulichki (Morocco) co-head of mission

Minister Asim Iftikhar Ahmad (Pakistan)

Ambassador Kyung-hoon Sul (Republic of Korea)

Minister Petr Iliichev (Russian Federation)

Ambassador Eugène-Richard Gasana (Rwanda) co-head of mission

Ambassador Kodjo Menan (Togo)

Ambassador Mark Lyall Grant (United Kingdom of Great Britain and Northern Ireland) co-head of mission

Ambassador Samantha Power (United States of America) co-head of mission

Terms of reference

A. Great Lakes regional elements

- To recall the commitment of the Security Council to the sovereignty, territorial integrity and political independence of all States in the region and to emphasize the need to respect fully the principle of non-interference, good-neighbourliness and regional cooperation
- To call upon all countries of the region to respect the sovereignty and territorial integrity of neighbouring countries, to not interfere in the internal affairs of neighbouring countries, to not harbour persons accused of violations of international humanitarian law and human rights law or persons listed by United Nations sanctions regimes and to promote accountability, and to call upon all countries of the region to neither tolerate nor provide assistance or support of any kind to armed groups
- To express the strong support of the Security Council for the improvement of relations among the countries of the region and to encourage them to continue

to reinforce cooperation in all fields, especially on political, economic and security issues, in order to guarantee the long-term stabilization of the Great Lakes region

- To reiterate its support for the implementation of the commitments under the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the region, which is essential for the achievement of lasting peace and security in the eastern part of the Democratic Republic of the Congo and in the region, and to call upon all signatories to implement promptly, fully and in good faith their respective commitments

- To reiterate that all parties should contribute to stabilizing the eastern part of the Democratic Republic of the Congo, to encourage all countries of the region to work together and to recall the importance of the full implementation of relevant Security Council resolutions, including resolution 2098 (2013), as a means of stabilizing the situation

- To reiterate support for the strengthening of the regional dynamic, including through the development, where appropriate, of economic projects of common interest and the implementation of appropriate steps to facilitate legal trade and put an end to the illegal trafficking of natural resources, as means of consolidating peace and security

- To emphasize the continuing concerns of the Council about the protection of civilians, to address the situation of internally displaced persons and to advocate for respect for human rights and international humanitarian law, to address the issue of sexual violence and to strengthen child protection and to encourage the parties and Governments concerned to ensure that those responsible for serious violations of human rights and humanitarian law are brought to justice

- To affirm that sexual violence, when used or commissioned as a method or tactic of war or as a part of a widespread or systematic attack against civilian populations, can significantly exacerbate and prolong situations of armed conflict and may impede the restoration of international peace and security, to emphasize in this regard that effective steps to prevent and respond to such acts contribute significantly to the maintenance of international peace and security and to stress the participation of women as essential for any prevention and protection response

Additional elements for the Democratic Republic of the Congo

Led by Morocco and France

- To acknowledge the primary responsibility of the Government of the Democratic Republic of the Congo to consolidate peace and stability, to promote recovery and development in the country, to protect civilians and to express the continued support of the Council in this regard

- To reiterate its deep concern regarding the fragile security and humanitarian crisis in the eastern part of the Democratic Republic of the Congo due to the ongoing destabilizing activities of the 23 March Movement (M23), the Forces démocratiques de libération du Rwanda (FDLR) and other Congolese and foreign armed groups and to demand that they immediately cease all forms of

violence and destabilizing activities and that their members immediately and permanently disband and lay down their arms

- To call upon all Congolese authorities to implement fully and in good faith their commitments under the Peace, Security and Cooperation Framework and especially to intensify their efforts to reform the security sector, to consolidate State authority, to make progress on decentralization and to further the agenda of reconciliation, tolerance and democratization

- To express its support for the establishment of a national oversight mechanism by the President of the Democratic Republic of the Congo, as requested in the Peace, Security and Cooperation Framework and in resolution 2098 (2013), and to call upon the Congolese authorities to ensure transparency and effectiveness in this mechanism

- To reaffirm the support of the Security Council for the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) and to receive a briefing on the implementation of resolution 2098 (2013), in particular on the reconfiguration of MONUSCO and the deployment of the intervention brigade, and on the delivery of a road map outlining the transfer of tasks to the fullest extent possible to the United Nations country team, and to receive a briefing on the threat posed to regional stability by armed groups, including M23, FDLR and the Allied Democratic Forces — National Army for the Liberation of Uganda

- To get updates on the joint military operations of the Armed Forces of the Democratic Republic of the Congo and MONUSCO against M23 and other armed groups, to request further updates on how MONUSCO intends to implement its mandate of neutralizing all armed groups according to resolution 2098 (2013) and on how MONUSCO intends to conduct future disarmament, demobilization, repatriation, reintegration and resettlement efforts, to reaffirm that all military operations should be carried out in accordance with international humanitarian, human rights and refugee law and to take appropriate measures to protect civilians, and to draw insights from the experience of MONUSCO that can inform the Council members of current and future peacekeeping operations

- To reiterate the continuing concerns of the Council about the protection of civilians, to discuss the implementation of Security Council resolution 2098 (2013), to address the situation of internally displaced persons and to promote and protect human rights and international humanitarian law and to address sexual violence and child protection issues, including through the implementation of the action plan on children in armed conflict signed by the Government of the Democratic Republic of the Congo in 2012

- To ensure the full participation of women in conflict resolution and peace processes and to reiterate its recognition of the interrelated nature of the effective protection of civilians, the reduction and removal of the threat of armed groups and comprehensive security sector reform, in particular with regard to the screening and vetting of troops integrated into the Congolese armed forces

- To recall the utmost importance of the fight against impunity, notably in the eastern part of the Democratic Republic of the Congo, by bringing to justice those who have committed crimes and atrocities

Additional elements for Rwanda

Led by the United States of America

- To discuss the concerns of Rwanda in the region, including FDLR, and how they can be addressed while respecting sovereignty and territorial integrity of all States in the Great Lakes region
- To reiterate support for the implementation of the commitments under the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the region, and to call upon all signatories to fulfil their commitments in good faith
- To examine the plight of refugees from the Democratic Republic of the Congo forced to flee by armed groups
- To reiterate that all parties should contribute to stabilizing the eastern part of the Democratic Republic of the Congo, to encourage Rwandan and Congolese authorities to work together, in collaboration with the Special Envoy of the Secretary-General to the Great Lakes Region and MONUSCO, to ensure the full neutralization, disarmament, demobilization and cessation of sources of support to armed groups in the region, in the framework of a multidimensional approach aligned with the Peace, Security and Cooperation Framework, and to recall the importance of the full implementation of relevant Security Council resolutions as a means of stabilizing the situation
- To explore the strengthening of the regional dynamic, including through the creation of peace dividends and the development, where appropriate, of economic projects of common interest
- To discuss with the Government of Rwanda the modalities for how the Government, the United Nations and other international organizations can work together to urgently address the situation of the former M23 combatants interned in eastern Rwanda since March 2013, including individuals designated by the Security Council, and to ensure that they are permanently demobilized and dealt with in accordance with relevant international law, with special attention given to children and women among them

Additional elements for Uganda

Led by the United Kingdom of Great Britain and Northern Ireland

- To reiterate the support of the Security Council for the improvement of relations among the countries of the region, to encourage them to strengthen cooperation in all fields and to discuss regional efforts in that regard
- To discuss Ugandan concerns in the region, including the Allied Democratic Forces, and how they can be addressed while respecting the sovereignty and territorial integrity of all States in the Great Lakes region
- To emphasize the support of the Security Council for action against armed groups in the region, including the Lord's Resistance Army

B. African Union

Led by Azerbaijan and Rwanda

- To strengthen partnership and enhance cooperation between the African Union and the United Nations through an exchange of views on issues of interest to both the United Nations Security Council and the African Union Peace and Security Council, in accordance with resolution 2033 (2012)
- To exchange views and explore ways of reinforcing and supporting the conflict prevention tools of the African Union
- To exchange views on situations of interest to both the United Nations Security Council and the African Union Peace and Security Council, namely:
  - The situation in the Great Lakes region
  - The situation in the Sudan and South Sudan
  - The situation in Somalia
  - The situation in the Central African Republic
  - The situation in the Sahel region

Annex II

Report on the seventh annual joint consultative meeting between the Peace and Security Council of the African Union and the United Nations Security Council

Addis Ababa, 8 October 2013

A. Introduction

1. Each year since 2007, the Peace and Security Council of the African Union and the members of the United Nations Security Council have held an annual joint consultative meeting. In odd-numbered years, the joint consultative meetings have been held at the headquarters of the African Union, in Addis Ababa, and in even-numbered years the meetings have been held at United Nations Headquarters, in New York. On 8 October, the seventh joint consultative meeting was held in Addis Ababa. The meeting was co-chaired by Agshin Mehdiyev, the Permanent Representative of Azerbaijan to the United Nations and President of the Security Council for the month of October 2013, and the representative of Equatorial Guinea, acting President of the African Union Peace and Security Council for the month of October.

B. Objectives of the meeting

2. The general objective of the annual joint consultative meeting between the Peace and Security Council of the African Union and the United Nations Security Council is to strengthen partnership and enhance cooperation between the African Union and the United Nations through an exchange of views on issues of interest to both bodies in the areas of maintenance of international peace and security, especially in Africa.

3. The specific objective of the meeting in 2013 was for the two Councils to share experiences and find ways to harmonize their interventions in specific conflict situations, including the situation in the Great Lakes region, the situation between the Sudan and South Sudan, the situation in Somalia, the situation in the Central African Republic and the situation in the Sahel region.

C. Format and discussions on the agenda items

4. Each organization chose a lead member State, whose representative would introduce each topic or respond to the introduction made by the representative of a member State of the other organ as follows: France and the Gambia on the situation in the Great Lakes region; the United States of America and Lesotho on the situation between the Sudan and South Sudan; Nigeria and the United Kingdom of Great Britain and Northern Ireland on the situation in Somalia; Mozambique and France on the situation in the Central African Republic; Morocco and Uganda on the situation in the Sahel region; and Algeria and Rwanda on the enhancement of the partnership between the African Union and the United Nations.

5. Generally, the presentations by the representatives of both Councils agreed in principle regarding the topics mentioned above.

6. On the Great Lakes region, France and the Gambia agreed that a durable solution for the issues in the Democratic Republic of the Congo could be achieved only through political dialogue. They called upon parties to the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the region to continue to work towards the effective implementation of the Framework.

7. On relations between the Sudan and South Sudan, the statement of the United States and Lesotho carried similar messages. There was optimism, based on the recent visit of the President of South Sudan, Salva Kiir, to Khartoum and the agreement between President Kiir and the President of the Sudan, Omer Al-Bashir, especially on the implementation of the Agreement on Temporary Administrative and Security Arrangements for the Abyei Area. In this regard, all delegations were in support of the African Union High-level Implementation Panel's proposal for the resolution of the final status of Abyei.

8. Regarding Somalia, the presenters (Nigeria and the United Kingdom) acknowledged the tentative progress achieved in Somalia, praised the role of the African Union Mission in Somalia (AMISOM) and welcomed the new deal on Somalia. They appreciated the collaborative efforts of the two organs, including the recently concluded joint mission review, and looked forward to the results of the review. The United Kingdom thanked the AMISOM forces for their bravery and sacrifice and stated that it was due to their efforts that there was now hope for the future of Somalia. The United Kingdom noted the progress that had been made in Somalia, but stated that three priorities had been identified for consolidating the gains made: (a) improving the security situation and the ability of the Somali forces to ensure security; (b) supporting the Federal Government of Somalia, including in its national reconciliation efforts and in coordinated support; and (c) strengthening the relationship between the United Nations and the African Union so as to avoid competing priorities.

9. Regarding the Central African Republic, the presenters (France and Mozambique) noted the precarious situation in the country and expressed their appreciation for the role played by regional organizations, including the African Union, in the restoration of peace, including the recent establishment of the African-led International Support Mission in the Central African Republic. France informed the members that it would soon introduce a draft Security Council resolution on the Central African Republic that would provide support to the Mission.

10. On the situation in the Sahel, the presenters (Morocco and Uganda) welcomed the restoration of normalcy in Mali. Uganda called for the Security Council's attention to and support for the Nouakchott Process, the African Union's ongoing initiative aimed at strengthening security cooperation and operationalizing the African Peace and Security Architecture in the Sahelo-Saharan region. Both Uganda and Morocco welcomed the United Nations integrated strategy for the Sahel.

11. On the enhancement of the partnership between the African Union and the United Nations, Rwanda and Algeria agreed in principle that both the United Nations Security Council and the African Union Peace and Security Council had a vested interest in having a solid and effective partnership. All speakers underlined

the importance of the relationship between the two Councils in addressing peace and security needs in Africa. The speakers highlighted the advances made in the relationship, including the benefits of regular meetings, noting, however, that the relationship needed to be strengthened. Suggestions for improvement included: increasing the number of joint meetings, including joint field missions; regular briefings of each Council by envoys and representatives of the other organization; improving the timeliness of Peace and Security Council decisions so that they could be taken into consideration by the Security Council; and the improvement of modalities by which the United Nations could support the African Union and its peace support operations. The Great Lakes region, the Sudan and South Sudan, Somalia, the Central African Republic and the Sahel were identified as strong examples of areas in which the two Councils had worked together. The need to forge a common vision and harmonize competing priorities was cited as important, as was the need to more fully integrate economic development efforts so as to address peace and security.

12. Algeria presented the principles that should underpin the United Nations-African Union partnership, namely, respect for African ownership and priority-setting; the flexible and innovative application of the principle of subsidiarity; mutual respect for and adherence to the principles of comparative advantage; and division of labour underpinned by complementarity.

13. After the presentations, the floor was opened to other members for comments. The representative of Uganda asked the Security Council to listen to Africa; he said that the African Union Peace and Security Council was present on the ground and that the United Nations Security Council had never solved any problems in Africa alone. He suggested that instead of the Security Council sending "experts on lightning missions", they should encourage joint verifications between the two organs. Nigeria suggested that there should be collaborative field visits between the two Councils and asserted that if the two bodies listened carefully to one another, then the discordant voices would disappear.

14. The representative of Australia agreed with the need for strong partnerships between the two organs. A strong African Union and a strong United Nations would enhance the strategic partnership for peace. He also called for better coordination of recommendations. In response to the call of Uganda to the Security Council to listen to Africa, the representative of the United Kingdom said that there was indeed a need to listen to Africa, but in order to listen it was necessary for a voice to come early. He mentioned instances in which the African Union had delayed taking a decision, such as in the cases of Libya and Côte d'Ivoire. He said that when voices in the region and subregion were divergent, as in those two examples, the Security Council would have to choose whom to listen to.

15. Commenting on the Great Lakes region, the representatives of the United States, Togo, Argentina and the Republic of Korea reiterated the importance of the Framework agreement in addressing the root causes of the conflict and underscored the importance of economic development. The Ugandan representative stated that the Force Intervention Brigade should not focus only on M23 and FDLR, but also on the Allied Democratic Forces. The representative of Uganda stated that verification mechanisms needed to be reviewed so that they relied less on the sending of groups of experts. The representative of the United States reiterated the

importance of accountability and emphasized that the Framework should contribute to a process of dispute resolution among countries of the region.

D. Outcome of the meeting

16. The meeting adopted a communiqué, which was circulated as an annex to document S/2013/611.

Meeting with the Chairperson of the African Union Commission

17. Nkosazana Dlamini Zuma, the Chairperson of the African Union Commission, convened a meeting to discuss the relationship between the International Criminal Court and the African continent, with a special focus on the cases of Kenyan leaders before the Court. All those who took the floor acknowledged the current controversy of the Court on the African continent. Most of them stated that a dialogue was long overdue.

Meeting with the Prime Minister of Ethiopia

18. A meeting with Hailemariam Dessalegn, the Prime Minister of Ethiopia and the Chairperson of the African Union, was the last programme of the Security Council mission to Africa. The representative of Rwanda, as co-leader for the Addis Ababa segment, explained that the Council had requested a meeting with him because it recognized the leadership that Ethiopia had always had in the integration of Africa, on peace and security on the continent and on the development of African countries. He continued by saying that the Council had had a very dense and productive mission to Africa, describing every stage of the trip.

19. Taking the floor, the Prime Minister said that the conflict in the Democratic Republic of the Congo was not a security problem but a political one. He went on to say that the conflict was an internal issue, but that countries of the region had a role to play in contributing to the solution. He thanked the Security Council for supporting the Kampala talks, adding that it was also important to support the Peace, Security and Cooperation Framework in order to achieve lasting peace in the eastern part of the Democratic Republic of the Congo.

20. The Prime Minister also commented on the cooperation between the African Union Peace and Security Council and the United Nations Security Council, the Sudan and South Sudan, Somalia, the Central African Republic and Mali. On the situation in Abyei, the Prime Minister called for political commitment from the Governments of the Sudan and South Sudan aimed at holding a referendum on the final status of that region. Although he discouraged any unilateral decision by South Sudan to convene a referendum, preferring a consensual decision, he stated that there should be a time limit for the holding of the referendum.